

06/15/01

J1032 U.S. PTO

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Please type a plus sign (+) inside this box → ☒Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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PTO/SB/19 (4/98)

PLANT PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))		Attorney Docket No. _____
		First Inventor or Application Identifier Guennadi Eremin
		Title Prunus Plant 'VSL-2'
		Express Mail Label No. _____

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **9**]
(2 copies required - 37 C.F.R. § 1.163(b)
(preferred arrangement set forth below)
 - Descriptive title of the invention (with Plant's name)
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Botanical Description
 - Claim (only one (1) permitted MPEP 1605)
 - Abstract of the Disclosure
3. ☐ Color drawing(s) [Total Sheets **1**]
(2 copies required - 37 C.F.R. § 1.165(b))
4. Oath or Declaration [Total Pages **1**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 15 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 12: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ACCOMPANYING APPLICATION PARTS

5. ☒ Plant Color Coding Sheet
6. ☐ Assignment Papers (cover sheet & document(s))
7. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
8. ☐ English Translation Document (if applicable)
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations **1**]
10. ☐ Preliminary Amendment
11. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
12. ☒ * Small Entity Statement filed in prior application (PTO/SB/09-12) Status still proper and desired
13. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
14. ☐ Other: _____

15. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

16. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Ms. Shannon K. Reeser				
	Varieties International				
Address	P.O. Box 753				
City	Lafayette	State	Oregon	Zip Code	97127
COUNTRY	USA	Telephone	(503) 538-2131	Fax	

Name (Print/Type)	Registration No. (Attorney/Agent)
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 245.00)

Complete if Known

Application Number

Filing Date

First Named Inventor

Guennadi Eremin

Examiner Name

Group Art Unit

Attorney Docket No.

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
NumberDeposit
Account
Name☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

245.00

SUBTOTAL (1) (\$ 245.00)**2. EXTRA CLAIM FEES**Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims

over original patent

110 18 210 9 ** Reissue claims in excess of 20

and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 895	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

*Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)**SUBMITTED BY**

Name (Print/Type)

Registration No.
(Attorney/Agent)

Complete (if applicable)

Telephone


Signature

Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PTO/SB/20 (8-96)
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PLANT COLOR CODING SHEET <i>(to be used for new applications only)</i> 'VSL-2'				Attorney Docket Number	
				First Named Inventor	
				Guennadi Eremin	
				FOR OFFICIAL USE ONLY	
Sheet		1	of	1	Date of Receipt
					Application Number

PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.

ITEM	COLOR
Trunk:	
Trunk Bark Color	178B
Lenticel Color	198B
Brancheſ:	
Branch Color	175B
Lenticel Color	198B
Leaves:	
Leaf Color (adzxial surface)	135D
Leaf Color (abaxial surface)	136B
Petiole Color	140C
Vein Color (adaxial and abaxial surfaces)	135D
Fruit:	
Stem Color	144A
Skin Color	53A
Flesh Color	53A
Seed Color	164A
Flower:	
Bud Color	56C
Flower Color Fully Opened (upper & lower surfaces)	56D
Color of Peduncle	144A
Calyx Color	152A
Reproductive Organs:	
Stamen Color	145C
Anther Color	9B
Color of Pollen	9B
Pistil Color	144C
Style Color	144C
Ovary Color	144B

COLOR CODE SYSTEM:

RHS Colour Chart of the Royal Horticultural Society

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April 9, 2001

Assistant Commissioner for Patents
Box Patent Application
Washington, DE 20231

Re: Patent Application Packet for Prunus Plant 'VSL-2'

Dear Assistant Commissioner:

Enclosed you will find a patent application packet for the above reference plant with the following forms:

- ✓ Plant Patent Application Transmittal
- ✓ Fee Transmittal
- ✓ Plant Patent Application Declaration
- ✓ Declaration - Plant Patent Application
- ✓ Statement Claiming Small Entity Status
- ✓ Plant Color Coding Sheet
- ✓ Two (2) copies of the specifications

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I have also enclosed a check in the amount of \$245.00 to cover the basic filing fee. If you have any questions I can be reached at (503) 435-2000 or by e-mail at shannon@meadow-lake.com.

Sincerely,

Shannon K. Reeser

Shannon K. Reeser
Executive Assistant

Enclosures

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T06150 05800953